

HOUSE BILL 1302

By West

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 5, Part 3 and Title 49, Chapter 5, Part 5,
relative to teacher dismissal hearings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-512, is amended by adding a new subsection thereto, as follows:

(c)

(1) In any county with a metropolitan form of government and a population of more than five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census, a tenured teacher who has received notice of charges pursuant to § 49-5-511, may, within thirty (30) days after receipt of notice, demand a hearing on such charges. Such hearing shall be conducted before an administrative judge employed in the office of secretary of state sitting alone. The hearing shall be conducted pursuant to the provisions of title 4, chapter 5, part 3.

(2) A final order rendered in a hearing may be appealed to the board. Notice of such appeal shall be provided as in subsection (a). The director of schools shall set a hearing as provided in subsection (a). The board shall review the administrative judge's decision based solely upon the record established before the administrative judge and shall decide whether to uphold the decision of the administrative judge based upon this review. No new evidence shall be considered by the board on appeal unless such evidence was not available or did not exist at the time of the original hearing before the administrative judge.

(3) The costs of proceedings pursuant to this subsection shall be assigned by the administrative judge hearing the matter, including any expenses for employment of an administrative judge.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.